

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Land Division  
Honolulu, Hawaii 96813

September 11, 2009

Board of Land and Natural Resources  
State of Hawaii  
Honolulu, Hawaii

PSF No: 04OD-232

OAHU

Amend Prior Board Action of August 27, 2004 (Item D-1), After-the Fact Approval of Lease of Federal Property with the U.S.A., Secretary of Army on Behalf of the Department of Education for Public School Purposes, Fort Shafter Military Reservation, Honolulu, Oahu, TMK: (1) 1-1-08:005 (Portion).

BACKGROUND:

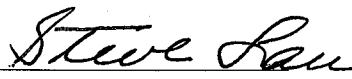
On August 27, 2004, item D-1, the Board approved the of lease of Federal property with the Secretary of the Army (Army) on behalf of the Department of Education (DOE) for public school purposes at Fort Shafter Military Reservation for a term of 5 years commencing from March 1, 2001 to February 28, 2006. A copy of the 2004 approved submittal is attached as Exhibit A.

Staff has been working with the Army and DOE regarding the document. Recently, the Army requests that the term of the lease be changed to 25 years, commencing March 1, 2001. Staff and DOE have no objections to this request.

RECOMMENDATION: That the Board:

1. Amend its prior Board action of August 27, 2004, item D-1 by amending the term of the lease to 25 year commencing on March 1, 2001 and ending February 28, 2026.
2. All terms and conditions listed in its August 27, 2004 approval shall remain the same.

Respectfully Submitted,

  
Steve Lau  
Land Agent

APPROVED FOR SUBMITTAL:

  
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Laura H. Thielen, Chairperson



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Land Division  
Honolulu, Hawaii 96813

August 27, 2004

Board of Land and Natural Resources  
State of Hawaii  
Honolulu, Hawaii

PSF No.: 0400-232  
(Oahu)

After-the-Fact Approval of Lease of Federal Property with the U.S.A., Secretary of the Army on Behalf of the Department of Education for Public School Purposes, Fort Shafter Military Reservation, Honolulu, Oahu, TMK:1-1-08:5 (Portion).

APPLICANT:

Department of Education, whose mailing address is P.O. Box 2360, Honolulu, Hawaii 96804.

LANDOWNER:

United States of America, Secretary of the Army, whose business and mailing address is District Engineer, Attention: Chief, Real Estate Division, U.S. Army Corps of Engineers, Bldg 230 (CEPOH-RE), Fort Shafter, Hawaii 96858-5440.

LEGAL REFERENCE:

Section 171-30, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Federal lands of Fort Shafter Military Reservation situated at Fort Shafter Military Reservation, Honolulu, Oahu, identified by Tax Map Key:1-1-08:5(portion), as shown on the attached map labeled Exhibit A.

AREA:

0.17 acres, more or less.

ZONING:

Not applicable. (Federal owned land)

CHARACTER OF USE:

Public school purposes.

**EXHIBIT "A"**

APPROVED BY THE BOARD OF  
LAND AND NATURAL RESOURCES  
AT ITS MEETING HELD ON  
August 27, 2004

ITEM D-1

LEASE TERM:

P1 P1 5 years commencing on March 1, 2001 to February 28, 2006.

ANNUAL RENT:

R2 Gratis

DCCA VERIFICATION:

Not applicable, government agency

REMARKS:

The Department of the Army Lease, Contract No. DACA84-1-76-31 authorized the State of Hawaii the use and occupancy of a parcel of land situated at Fort Shafter Military Reservation for public school purposes and providing a playground for students of Fort Shafter Elementary School.

The subject parcel consist of 0.17 acres which the lease commenced from March 1, 1976. The Board has approved 5 years renewals.

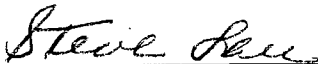
By way of a letter dated July 14, 2004, the Department of the Army has submitted License Contract No. DACA84-3-04-78 for a period of 5 years commencing from March 1, 2001 to February 28, 2006. This license supercedes a Lease Contract No. DACA84-1-76-31.

RECOMMENDATION:

That the Board approve entering into a lease with the United States of America, Secretary of the Army on behalf of the Department of Education covering the subject area under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:

1. Review and approval by the Department of the Attorney General; and
2. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

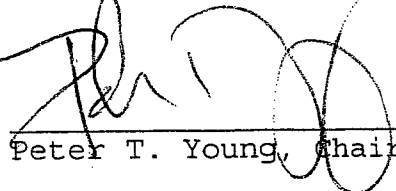
Respectfully Submitted,



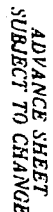
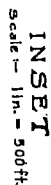
Steve Lau  
Land Agent



APPROVED FOR SUBMITTAL:



Peter T. Young, Chairperson



TAXATION MAPS BUREAU			
STATE OF HAWAII			
TAX MAP			
FIRST	DIVISION		
ZONE	SEC.	PLAT	
1	1	08	
CONTAINING		PARCELS	
Scale—1 in. = 500 ft.			

Dropped: 6, 9, 10, 3, 4, 7, 11

# EXHIBIT A